

Attorney Docket No. 9204.13

DAC #
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Witmer, et al.
Serial No.: 09/840,742
Filed: May 23, 2001
For: METHODS FOR FACILITATING THE DESIGN AND INSTALLATION OF
CUSTOM HOME NETWORKING SYSTEMS

July 23, 2001

Commissioner for Patents
Washington, DC 20231

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**PETITION TO GRANT FILING DATE
AND TO REFUND PETITION FEE**

OFFICE OF PETITIONS

CHECK Sinc Total: \$130.00

As set forth in MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of April 23, 2001 rather than April 25, 2001 for the above-identified patent application. The following is enclosed as evidence of April 23, 2001 being the correct filing date under 37 C.F.R. § 1.10:

1. A copy of the Cover Sheet for the Application showing the Express Mail signature and date of April 23, 2001 on Page 2; and
2. A copy of our return post card from the United States Patent Office indicating that the application was submitted at the Patent Office on April 23, 2001 but received a filing date of April 25, 2001; and
3. Copy of PS Form 5541-C signed by a representative from the United States Postal Service dated April 23, 2001 listing Express Mailing label No. EL733093865US as an article picked up by the Postal Service on April 23, 2001.

There is no error on the part of Applicant. Accordingly, Applicant respectfully requests the granting of April 23, 2001 as the filing date.

07/30/2001 GTEFFERA 00000051 09840742

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130.00 OP

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Filed: April 23, 2001
Page 2

A check in the amount of \$130.00 in payment of the petition fee as set forth in 37 CFR § 1.17(h) is enclosed herewith. Because no defect existed, however, Applicant also respectfully requests refund of the petition fee.

Respectfully submitted,



Needham James Boddie, II
Attorney for Applicant
Registration No. 40,519



20792

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on July 23, 2001.



Vickie Diane Prior

Date of Signature: July 23, 2001



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 9204-13
DATE: April 23, 2001

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

BOX PATENT APPLICATION
Commissioner for Patents
Washington, DC 20231

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Sir:

OFFICE OF PETITIONS

Transmitted herewith for filing under 37 CFR 1.53(b) is:

a patent application
 a Continuation a Divisional a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is hereby incorporated herein by reference in its entirety.
 and claims the benefit of Provisional Application No. _____; filed _____.
 A Small Entity Statement(s) was filed in the prior application; Status still proper and desired.

Inventor(s) or Application Identifier:

Don Witmer, 2006 Margot Place, San Jose, California 95125

William Skip Marsh, 175 Victoria Drive, Gilroy, California 95020

Entitled: **METHODS FOR FACILITATING THE DESIGN AND INSTALLATION OF CUSTOM HOME NETWORKING SYSTEMS**

Enclosed are:

1. Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. 32 pages of Specification (including 16 claims)
3. 6 sheets of Formal Drawings (35 USC 113)
4. Oath or Declaration
 - a. newly executed (*original or copy*)
 - b. copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional*) [*Note Box 5 Below*]
 - c. DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. Incorporation By Reference (*useable if box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Microfiche Computer Program (*Appendix*)
7. Assignment papers (*cover sheet(s) and document(s)*)
8. Small Entity Statement(s)
9. Information Disclosure Statement, PTO-1449, and _____ references cited
10. Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
11. English Translation Document
12. Certified Copy of Application No. _____ ; Filed

13. Sequence Listing/ Sequence Listing Diskette

- a. computer readable copy
- b. paper copy
- c. statement in support

14. An Associate Power of Attorney

15. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

16. Other: Application Filed Under 37 CFR 1.41(c)

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate	Large Entity Rate
BASIC FEE			\$355.00	\$ 710.00
TOTAL CLAIMS	16 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	2 - 3 =	0	x 40 = \$	x 80 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 135 = \$	+ 270 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$710.00

A check in the amount of \$710.00 to cover the filing fee is enclosed.

A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).

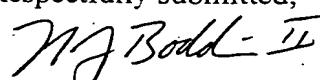
Please charge my Deposit Account No. 50-0220 in the amount of \$

The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:

a. Additional filing fees under 37 CFR 1.16 for presentation of extra claims:

b. Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Needham J. Boddie, II
Registration No. 40,519

USPTO Customer Number: 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401

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CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL733093865US
Date of Deposit: April 23, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.



Vickie Diane Prior

Date of Signature: April 23, 2001



9204-13/NJB:vp
April 23, 2001

Commissioner for Patents
Washington, DC 20231

Sir: Kindly acknowledge receipt of the accompanying by placing your receiving date stamp hereon and mailing:

Re: Witmer, et al.; For: Methods for Facilitating the Design and Installation of Custom Home Networking Systems

APPLICATION TRANSMITTAL; SPECIFICATION (32 PP., 16 CLAIMS); 6 SHEETS DRAWINGS; APPLICATION FILED UNDER 37 CFR 1.41(c); \$710 CK.
EXPRESS MAIL EL733093865US

Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

EL733093865US

JC978 U.S. PTO
09/840742
04/25/01

9204-13/NJB:vp
April 23, 2001

Commissioner for Patents
Washington, DC 20231

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EXPRESS MAIL EL733093865US 05-02-01 009:59 IN

Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

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**Pickup Service Statement –
Express Mail, Priority Mail, or Parcel Post**

UNITED STATES
POSTAL SERVICE

Customer Name and Address (Street, Suburb, City, and State)
111 CORNING RD STE 250
CARY NC 27511-9238

1. Attach Meter Strip or Stamps Here

01 P M
JUL 27 2001
U.S. POSTAL SERVICE

ZIP + 4 2 7 5 1 1 - 9 2 3 8

4. Custom Design Agreement

5. Method of Payment

Corporate Account
No. X276081

Federal Agency Account
No. _____

Meter Strip or Stamps
(Apply fee in Item 1 above)

6. Express Mail Label Numbers

Item No.	Express Mail Label Number	Item No.	Express Mail Label Number	Item No.	Express Mail Label Number
1	EL 73309483545	6	EL 73309621845	11	
2	EL 73309638545	7		12	
3	EL 73309386545	8		13	
4	EL 73309050145	9		14	
5	EL 73308034545	10		15	
7. Customer Signature	<u>John C. 4-23-01</u>	8a. USPS Signature	<u>John C. 4-23-01</u>	8b. Date of Pickup	<u>18. 23/01</u>
				8c. Time of Pickup	<u>2/3</u>
					1 - Finance Copy

PS Form 5541-C, August 1991

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